**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116**
**EXPEDITED PROCEDURE**
**TECHNOLOGY CENTER ART UNIT 2625**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Makoto SASAKI — Group Art Unit: 2625

Application No.: 10/777,378 — Examiner: TYLER, N.

Filed: February 13, 2004 — Docket No.: 118626

For: NUMERICAL PROCESSING APPARATUS, COLOR PROCESSING APPARATUS, NUMERICAL PROCESSING SYSTEM, COLOR PROCESSING PROGRAM, AND STORAGE MEDIUM

**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the January 29, 2008, Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-14 are pending in this application. The Office Action rejects claims 1 and 3-14 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0072018 to Sasaki et al. (hereinafter "Sasaki"). Further, the Office Action rejects claim 2 under 35 U.S.C. §103(a) as being unpatentable over Sasaki, in view of U.S. Patent No. 6,919,972 to Kumada et al. (hereinafter "Kumada"). Applicants respectfully traverse these rejections.

The Office Action asserts that Sasaki teaches the features positively recited in the pending claims, including determining at least one element of the input point satisfying the

constraint condition, when an output point is given, on the basis of the plurality of limited pairs. However, this assertion is incorrect.

Sasaki teaches calculating an optimum black colorant amount which satisfies the total colorant amount with respect to typical L*a*b* points, as discussed in paragraphs [0035]-[0038]. Here, the optimum colorant amount is calculated based on a model capable of predicting an optimum colorant from L*a*b*, as discussed in paragraph [0035]. In other words, Sasaki teaches that a black colorant is experimentally calculated based on points from a single L*a*b* color space.

The subject matter of the pending claims positively recites determining at least one element of the input point satisfying the constraint condition, when an output point is given, on the basis of the plurality of limited pairs. Further, limited pairs comprise an input point and an output point, as positively recited in the pending claims. In this way, input points and output points may be used in determining at least one element of the input point, as further discussed on page 8, lines 10-18 of Applicant's disclosure.

Therefore, because Sasaki teaches experimentally calculating a black colorant amount based on points in a single L*a*b* color space, the reference cannot reasonably be considered to teach, or to have suggested, the above feature. Additionally, Kumada fails to overcome the deficiencies as discussed above.

For at least the above reasons, no permissible combination of Sasaki and Kumada can reasonably be considered to teach, or to have suggested, the combinations of all of the features positively recited in independent claims 1, 5 and 11-14. The applied references above also cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features positively recited in claims 2-4 and 6-10, at least for their dependence on allowable independent claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-14 are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Date: April 29, 2008

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